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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,767	12/08/2003	Richard P. Himmer	I20 04983US	3406

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HONEYWELL INTERNATIONAL INC.  
101 COLUMBIA ROAD  
P O BOX 2245  
MORRISTOWN, NJ 07962-2245

EXAMINER
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WANG, BEN C

ART UNIT	PAPER NUMBER
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2192

MAIL DATE	DELIVERY MODE
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09/04/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/729,767

Applicant(s)

HIMMER ET AL.

Examiner

Ben C. Wang

Art Unit

2192

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-10 and 16-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Applicant's amendment dated June 11, 2007, responding to the Office action mailed March 8, 2007 provided in the rejection of claims 1-17, wherein claims 1 and 16 are amended, claims 11-15 are canceled.

Claims 1-10 and 16-17 remain pending in the application and which have been fully considered by the examiner.

Applicant's arguments with respect to claims rejection have been fully considered but are moot in view of the new grounds of rejection – see *Hammack et al.* - art made of record, as applied hereto.

#### ***Claim Rejections – 35 USC § 102(b)***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(b) that form the basis for the rejections under this section made in this office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-10 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hammack et al. (Pat. No. US 6,449,624 B1) (hereinafter 'Hammack' - art made of record)

3. **As to claim 1** (Currently amended), Hammack discloses a source control system for a process control system (e.g., Fig. 1 – a process control system; Col. 3, Lines 49-52

– a process control system includes a process controller connected to one or more host workstations or computers via a communication network such as an Ethernet connection or the like), comprising:

- a processor in a process control system (e.g., Col. 2, Lines 36-39 – the inventive system further includes a configuration routine and a version control routine, both of which are stored in the computer-readable medium and configured to be executed by the processor);
- a database accessible by said processor to store information associated with an object under source control to be checked-out (e.g., Col. 12, Lines 66 through Col. 13, Lines 7 – the VCAT [Version Control and Audit Trail system] system may further include functionality that permits the user to request a status update for all of the items in the configuration database to ensure that those items that are checked out are indicated as such via checkmark or the like); and
- a check-out function operable on said processor to check-out said object (e.g., Fig. 6 – element of 120 – “Check Out” , “CheckOut Recursive”); to use said information to determine whether any dependent objects exist, and to automatically check-out said existing dependent objects (e.g., Col. 11, Lines 24-29 – the VCAT system preferably determines during each check-out operation which other versionable items need to be checked out in order to modify the configuration of an item; the modification of these other versionable items may be referred to as “consequential changes.”, 45-48 – because the configuration of the

process is set forth in a hierarchal manner, the VCAT system must allow for checking out items having subordinate items that are also versionable).

4. **As to claim 2** (incorporating the rejection in claim 1) (Original), Hammack discloses the system further comprising: a propagation function operable on said processor to propagate changes made to said object to said existing dependent objects, when said object is saved (e.g., Col. 29, Lines 11-16 – the configuration management system wherein the configuration routine is adapted to be executed by the processor to make changes to a first process control element and to propagate changes to other process control elements that are affected by the changes made to the first process control element).

5. **As to claim 3** (incorporating the rejection in claim 1) (Original), Hammack discloses the system wherein said stored information includes a reference to a parent object (e.g., TABLE 4 – Recover/Purge Dialog Window, 1<sup>st</sup> entry – items – list all subordinate items deleted based upon a selected parent; Col. 23, Lines 36-41, 49-56).

6. **As to claim 4** (incorporating the rejection in claim 1) (Original), Hammack discloses the system wherein said stored information is at least one selected from the group consisting of: a name, a version number, a type and a status (e.g., Col. 20, Lines 15-20 – Furthermore, it is preferred that key words and labels be utilized to identify attributes such as object type and properties; examples of property labels are “NAME”

and "DESCRIPTION"; Col. 13, Lines 58-66 – data representative of each prior configuration of an item is stored in the version control database together with data reflective of a version assigned thereto; the version is preferably identified by number, but may be indicated in any other manner).

7. **As to claim 5** (Original), Hammack discloses a method of automatic check-out for a source control system in a process control system, comprising:

- storing information associated with an object (e.g., Fig. 3; Col. 6, Lines 25-43 – with reference now to Fig. 3, the data stored in the configuration database may be presented to a user via a configuration database administrative interface such as Delta V® Explorer, which will hereinafter be referred to as "the Explorer system"; the Explorer system sets forth a configuration hierarchy in a windows-type environment having a suite of configuration tools for modifying the elements of the hierarchy);
- receiving a request from a user to check-out said object (e.g., Fig. 6 – element of 120 – "Check Out" , "CheckOut Recursive");
- determining whether any dependent objects of said object exist based on said information; automatically checking-out said existing dependent objects when said object is checked-out; and providing a status to said user (e.g., Col. 11, Lines 24-29 – the VCAT system preferably determines during each check-out operation which other versionable items need to be checked out in order to modify the configuration of an item; the modification of these other versionable

items may be referred to as "consequential changes.", 45-48 – because the configuration of the process is set forth in a hierarchal manner, the VCAT system must allow for checking out items having subordinate items that are also versionable).

8. **As to claim 6** (incorporating the rejection in claim 5) (Original), Hammack discloses the method further comprising: sorting said existing dependent objects so that parents precede children (e.g., Col. 11, Lines 48-51 – in one embodiment, if a recursive check-out or check-in is selected by the user, the VCAT system generates a dialog window that provides the user with a list of versionable, subordinate items that may be checked out (or checked-in)).

9. **As to claim 7** (incorporating the rejection in claim 5) (Original), Hammack discloses the method wherein one of said existing dependent objects is a derivation child of said object (e.g., Col. 11, Lines 45-55 – because the configuration of the process is set forth in a hierarchal manner, the VCAT system must allow for checking out items having subordinate items that are also versionable).

10. **As to claim 8** (incorporating the rejection in claim 7) (Original), Hammack discloses the method further comprising: automatically checking-out a derivation child only if a derivation child is checked-in (e.g., Col. 11, Lines 45-55 – because the

configuration of the process is set forth in a hierarchal manner, the VCAT system must allow for checking out items having subordinate items that are also versionable).

11. **As to claim 9** (incorporating the rejection in claim 7) (Original), Hammack discloses the method further comprising: automatically checking-out any children of said object (e.g., Col. 11, Lines 24-33 – the VCAT system preferably determines during each check-out operation which other versionable items need to be checked out in order to modify the configuration of an item; the modification of these other versionable items may be referred to as “consequential changes”; if automatic check-out is enabled, the VCAT system does not prompt the user and automatically checks out each of the other items for which consequential changes may occur), when said object is a user-defined template (e.g., Col. 1, Lines 44-50 – the items may also be displayed within a control template such that items are shown in their functional relationships in the process; for example, a control template may constitute a sequential flow chart having a series of interconnected blocks representative of multiple items having input and output relationships defined by interconnecting lines).

12. **As to claim 10** (incorporating the rejection in claim 7) (Original), Hammack discloses the method further comprising: automatically checking-out any children of said children of said object (Col. 11, Lines 24-33 – the VCAT system preferably determines during each check-out operation which other versionable items need to be checked out in order to modify the configuration of an item; the modification of these other



versionable items may be referred to as "consequential changes"; if automatic check-out is enabled, the VCAT system does not prompt the user and automatically checks out each of the other items for which consequential changes may occur) , when said children are user-defined templates (Col. 1, Lines 44-50 – the items may also be displayed within a control template such that items are shown in their functional relationships in the process; for example, a control template may constitute a sequential flow chart having a series of interconnected blocks representative of multiple items having input and output relationships defined by interconnecting lines).

13. **As to claim 16** (Currently amended), Hammack discloses a computer readable medium having executable instructions stored thereon to perform a method of determining object relationships when checking-in, said method comprising:

- determining whether an object to be checked-in has a first derivation parent; adding a name and a version of said first derivation parent to a list of object relationships, if said object has said first derivation parent (e.g., Col. 2, Lines 63-67 – the version control routine may monitor the modification by imposing a check-out/check-in procedure on the configuration routine; alternatively, the check-out/check-in procedure is automatic; TABLE 2 – Version Control Check-In Dialog, 1<sup>st</sup> entry – Recursive – checks in any subordinate items that are checked out by this use preferably only applicable to certain levels of the configuration hierarchy; Col. 12, Lines 14-18 – in particular, the user is provided with the options of designating that any subordinate items associated with the item to be checked in should be checked in, and electing

that the item should remain checked out for further modification; Fig. 12; Col. 23, Lines 36-41, 49-56; Col. 25, Lines 54-59; Col. 20, Lines 15-20 – examples of property labels are “NAME” and “DESCRIPTION”; Col. 13, Lines 58-66 – data representative of each prior configuration of an item is stored in the version control database together with data reflective of a version assigned thereto; the version is preferably identified by number, but may be indicated in any other manner);

- determining for each contained object that is contained in said object, whether said contained object has a second derivation parent, if said object does not have said first derivation parent; adding a name and a version of said second derivation parent to said list of object relationships, if said contained object has said second derivation parent; and providing said list of object relationships (e.g., Col. 11, Lines 48-51 – in one embodiment, if a recursive check-out or check-in is selected by the user, the VCAT system generates a dialog window that provides the user with a list of versionable, subordinate items that may be checked out (or checked-in)).

14. **As to claim 17** (Original), Hammack discloses a computer readable medium having executable instructions stored thereon to perform a method of automatic check-out for a source control system in a process control system, said method comprising:

- storing information associated with an object (e.g., Fig. 3; Col. 6, Lines 25-43 – with reference now to Fig. 3, the data stored in the configuration database may

be presented to a user via a configuration database administrative interface such as Delta V® Explorer; which will hereinafter be referred to as "the Explorer system"; the Explorer system sets forth a configuration hierarchy in a windows-type environment having a suite of configuration tools for modifying the elements of the hierarchy);

- receiving a request from a user to check-out said object (e.g., Fig. 6 – element of 120 – "Check Out" , "CheckOut Recursive");
- determining whether any dependent objects of said object exist based on said information; automatically checking-out said existing dependent objects when said object is checked-out; and providing a status to said user (e.g., Col. 11, Lines 24-29 – the VCAT system preferably determines during each check-out operation which other versionable items need to be checked out in order to modify the configuration of an item; the modification of these other versionable items may be referred to as "consequential changes.", 45-48 – because the configuration of the process is set forth in a hierarchal manner, the VCAT system must allow for checking out items having subordinate items that are also versionable).

### ***Conclusion***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ben C. Wang whose telephone number is 571-270-

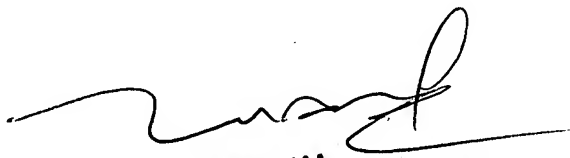
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1240. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BCW



TUAN DAM  
SUPERVISORY PATENT EXAMINER

August 27, 2007